

PATENT  
Customer No. 22,852  
Attorney Docket No. 09955.0047-00000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
Frédéric FORTIN et al. ) Group Art Unit: 3733  
)  
Application No.: 10/505,469 ) Examiner: Woodall, Nicholas W.  
)  
Filed: August 20, 2004 )  
)  
For: FLEXIBLE VERTEBRAL LINKING ) Confirmation No.: 4004  
DEVICE )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**PETITION FOR EXTENSION OF TIME**

Applicant petitions for a three-month extension of time to file a reply to the Office  
Action of February 6, 2007. A fee of \$525.00 is enclosed.


Please grant any additional extensions of time required to enter the attached  
reply and charge any additional required fees to Deposit Account 06-0916.

Adjustment date: 03/25/2008 CKHLOK  
10/24/2007 INTEFSW 00002536-10505469  
02 FC:2253 -525.00 OP

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: October 23, 2007

By:   
Matthew Van Eman  
Reg. No. 58,063  
(617) 452-1668

Refund Ref: 0030052661  
03/25/2008

Credit Card Refund Total: \$525.00

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For: FLEXIBLE VERTEBRAL LINKING	)	Confirmation No.: 4004
DEVICE	)	

**Mail Stop Petition**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**PETITION FOR REVIVAL UNDER 37 C.F.R. § 1.137(b) OF AN  
APPLICATION FOR PATENT UNINTENTIONALLY ABANDONED**

Applicants hereby petition for revival of U.S. Application Serial No. 10/505,469 ("the '469 application"), which became abandoned on or about October 7, 2006.

This petition under 37 C.F.R. § 1.137(b) is accompanied by: (1) the petition fee of \$770.00 (small entity) required by 37 C.F.R. § 1.17(m); (2) the Declarations of Mr. Frédéric Fortin and Mr. Johann Robin in Support of Petition for Revival Under 37 C.F.R. § 1.137(b) of an Application for Patent Unintentionally Abandoned; (3) a Reply to the Outstanding Office Action dated July 7, 2006; and (4) a Power of Attorney.

As the attached Declarations of Messrs. Fortin and Robin demonstrate, the abandonment of the inventions disclosed in the '469 application was unintentional. The entire delay from the date of abandonment to the filing of this Petition was unintentional.


The undersigned respectfully requests that the '469 application be revived and the enclosed Reply to the Office Action mailed July 7, 2006, be entered.

If any additional fee is due in connection with this filing, the Commissioner is authorized to charge attorney's Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: October 23, 2007

By:   
Matthew R. Van Eman  
Reg. No. 58,063  
(617) 452-1668

**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND								
1 Date of Request: <u>3/23/08</u>		2 Serial/Patent # <u>10/585469</u>						
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED					
		6 AMOUNT						
<input type="checkbox"/>	Filing		\$					
<input type="checkbox"/>	Amendment		\$					
<input checked="" type="checkbox"/>	Extension of Time		\$ <u>525.00</u>					
<input type="checkbox"/>	Notice of Appeal/Appeal		\$					
<input type="checkbox"/>	Petition		\$					
<input type="checkbox"/>	Issue		\$					
<input type="checkbox"/>	Cert of Correction/Terminal Disc.		\$					
<input type="checkbox"/>	Maintenance		\$					
<input type="checkbox"/>	Assignment		\$					
<input type="checkbox"/>	Other		\$					
		7 TOTAL AMOUNT OF REFUND						
		\$ <u>525.00</u> <del>0.00</del>						
		8 TO BE REFUNDED BY:						
		Treasury Check						
10 REASON:		Credit Deposit A/C #:						
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<input type="checkbox"/>	Overpayment							
<input type="checkbox"/>	Duplicate Payment							
<input checked="" type="checkbox"/>	No Fee Due (Explanation):							
<u>extendable period for left has passed.</u>								
11 REFUND REQUESTED BY:								
TYPED/PRINTED NAME: <u>Michelle R. Eason</u>		TITLE: <u>Paralegal</u> <del>Petitions Examiner</del>						
SIGNATURE: <u>Michelle R. Eason</u>		PHONE: <u>571-272-4231</u>						
OFFICE: <u>Office of Petitions</u>								
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****								
APPROVED: <u>[Signature]</u>		DATE: <u>3/25/08</u>						

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to: